



**CITY OF
PERTH**

ENVIRONMENTAL PROTECTION ACT 1986

Environmental Protection (Noise) Regulations 1997

Regulation 19 B

Approval No. 1/25

Approved Event

1. WHEREAS I AM SATISFIED THAT:

- (a) **Barpop Management Pty Ltd** is the occupier of the venue known as **Ice Cream Factory**, (located at 92-98 Roe Street, Northbridge 6003) ('the VENUE');
- (b) **Barpop Management Pty Ltd** has applied for a venue approval in accordance with regulation 19B(2) of the *Environmental Protection (Noise) Regulations 1997* ('the REGULATIONS');
- (c) the VENUE is a venue at which a number of notifiable events may be held for the purposes of regulation 19B(1) of the REGULATIONS;
- (d) the persons specified in regulation 19B(8) of the REGULATIONS have been given a reasonable opportunity to make a submission on whether or not the VENUE should be approved.

NOW I HEREBY APPROVE the VENUE, subject to the conditions contained in the Schedule to this approval, for the purposes of regulation 19B of the REGULATIONS ('VENUE APPROVAL').

- 2. The VENUE APPROVAL has effect for a period of five (5) years from the date of publication in the Gazette.
- 3. The following conditions in the Schedule to this approval are HEREBY DESIGNATED AS ANCILLARY CONDITIONS for the purposes of regulations 19C of the REGULATIONS:
 - (a) Conditions 4,5,6 & 7 – Complaint Response Service
 - (b) Condition 8 – Advice to residents
 - (c) Conditions 9, 10 & 11 – Community consultation
 - (d) Conditions 13 – Control of sound levels

Dated the day of **Month Year**

MICHELLE REYNOLDS

CHIEF EXECUTIVE OFFICER

(Person delegated under section 20 of the *Environmental Protection Act 1986*)

Att. Schedule to Approval



Environmental Protection (Noise) Regulations 1997

Regulation 19B SCHEDULE

**CITY OF
PERTH**

In this schedule –

CEO means the Chief Executive Officer of the City of Perth;

condition/s means a condition of the venue approval contained within this Schedule;

financial year means the period of twelve months ending on 30 June;

inspector means an inspector as defined by the Environmental Protection Act 1986;

major event means a notifiable event that meets the requirements of conditions 9, 10 and 11;

minor event means a notifiable event that meets requirements of conditions 17, 18 and 19;

moderate event means a notifiable event that meets the requirements of conditions 13, 14 and 15;

notifiable event/s means a notifiable event as defined by regulation 19B(1) of the regulations;

noise sensitive premises means a noise sensitive premises as defined by the regulations;

notice of ancillary conditions means a notice issued under regulation 19D(5) of the regulations;

performance(s) means an activity at a notifiable event that is likely to result in the emission of noise in contravention of the standard prescribed under regulation 7 of the Environmental Protection (Noise) Regulations 1997;

regulations means the Environmental Protection (Noise) Regulations 1997;

unexpected incident means an incident, resulting in a substantial disruption to an event, the occurrence of which is beyond the immediate control of Venue Occupier **Barpop Management Pty Ltd** and/or a person who holds a notifiable event at the venue. This means an accident or emergency, a breakdown of essential plant or equipment or the like; which directly results in the delay of a performance; and

venue approval means an approval issued under regulation 19B of the Environmental Protection (Noise) Regulations 1997 to Venue Occupier **Barpop Management Pty Ltd** as occupiers of Venue **Ice Cream Factory**.

Conditions of Approval

The approval, under regulation 19B of the Environmental Protection (Noise) Regulations 1997, is subject to the following conditions:

Sound system testing

1. The duration of the sound system tests shall not exceed 2 hours on the day of a NOTIFIABLE EVENT.
2. The sound system tests shall be held between 11.00 am and 3.00 pm on the day of a NOTIFIABLE EVENT.

Unexpected incident

3. The finishing time specified in conditions 15 may be extended to not later than ten (10) minutes past the required finishing time on the day of a NOTIFIABLE EVENT, provided that –
 - a) it is not reasonable and practicable to comply with the finishing time because an UNEXPECTED INCIDENT occurs during a NOTIFIABLE EVENT;
 - b) an INSPECTOR from the Local Government City of Perth is advised of the UNEXPECTED INCIDENT as soon as is practicable after Venue Occupier **Barpop Management Pty Ltd** becomes aware of the occurrence of an UNEXPECTED INCIDENT; and
 - c) the CEO is notified in writing of the circumstances surrounding the UNEXPECTED INCIDENT within 7 days of the NOTIFIABLE EVENT.

Complaint response service

4. Venue Occupier **Barpop Management Pty Ltd** or the person making notification of a NOTIFIABLE EVENT shall provide a complaint response service for persons who wish to lodge complaints regarding noise from activities associated with a NOTIFIABLE EVENT.
5. The complaint response service shall comprise a telephone service that can always be answered in person by an operator. An answering machine response is not acceptable.
6. The complaint response service shall be attended at all times during a NOTIFIABLE EVENT.
7. Venue Occupier **Barpop Management Pty Ltd** or the person making notification of a NOTIFIABLE EVENT shall compile and forward a report detailing all calls received by the complaint response service to the CEO by no later than five (5) working days after a NOTIFIABLE EVENT. The report should contain the caller's full name, address, telephone number (where those details are provided by the caller) the specific nature of the complaint and date and time of the call.

Advice to residents

8. Notice of the starting and completion times for a NOTIFIABLE EVENT and the establishment of the complaint response service, its telephone number(s) and the times of operation, shall be publicised by Venue Occupier **Barpop Management Pty Ltd** or the person making notification of an event, not later than four (4) days prior to the date of a scheduled NOTIFIABLE EVENT –
 - a) in the 'Local Community Newspaper'; and
 - b) by means of a flyer distributed to all NOISE SENSITIVE PREMISES in the area shown shaded on the attached map.

Community consultation

9. Venue Occupier **Barpop Management Pty Ltd** is to conduct a community survey to assess community attitudes to NOTIFIABLE EVENTS, to be conducted once every two years after commencement of the VENUE APPROVAL, between 1 May and 30 June in the survey year.
10. The survey respondents shall be contacted by a recognised community survey agency and shall be based on telephone contact with a representative sample of occupiers of all NOISE SENSITIVE PREMISES within one kilometre of the venue.
11. A report on the survey is to be forwarded to the CEO by not later than 5.00 pm on 31 August in the survey year.

Event approval under regulation 18

12. Where the CEO approves an additional event under regulation 18 of the REGULATIONS that is outside this schedule of conditions of the VENUE APPROVAL in any given FINANCIAL YEAR, and which would otherwise be similar in nature to a MAJOR EVENT under this schedule of conditions; no more than two (2) MODERATE EVENTS are to be held in that same FINANCIAL YEAR.

Control of sound levels

13. Venue Occupier **Barpop Management Pty Ltd** shall provide the names and contact telephone numbers of two persons who represent Venue Occupier **Barpop Management Pty Ltd** and who shall be present and contactable during the course of any NOTIFIABLE EVENT by the Local Government City of Perth if required. The names and contact telephone numbers of those persons shall be provided to the CEO by 5pm on the Friday prior to the date of any NOTIFIABLE EVENT.

Maximum duration of events

14. The maximum duration for PERFORMANCES and/or music associated with a NOTIFIABLE EVENT is no longer than ten (10) hours.

Starting and finishing times

15. The starting time for PERFORMANCES at any NOTIFIABLE EVENT shall not be earlier than 3.00 pm and the completion time for PERFORMANCES at any NOTIFIABLE EVENT shall not be later than 12.00 am on the same day.

Sound level limits

16. The sound level resulting from music associated with the NOTIFIABLE EVENT shall not exceed the following levels set out in Table 1 (below), at any location during the following time frames;

Table 1 – Sound level limits Outdoor Stage		
Time	LAeq, 5 min	LCeq, 5 min
Sound Check 11.00am – 3.00pm (maximum of 2 hours)	100	110
Event 3.00pm – 11.00pm	100	110
11.00pm – 12.00am Background Sound *Measured at the closest noise sensitive premises	65*	80*
Event 31 December 3.00pm - 1.00am	100	110

17. The sound levels specified in condition 16 above may be exceeded for up to 5% of the time periods between the times detailed in Table 1 above, but shall not be exceeded by more than 3dB(A) and 3dB(C).

Leq 5 minute

The $L_{Aeq, 5 \text{ min}}$ and $L_{Ceq, 5 \text{ min}}$ are average values taken over 5 minutes, whose level contains the same energy as the fluctuating noise during that period.

Monitoring of Sound Levels

18. Where monitoring of sound levels is required by a NOTICE OF ANCILLARY CONDITIONS for a NOTIFIABLE EVENT, it shall be carried out using monitoring equipment that complies with regulation 22 of the REGULATIONS. For the purposes of condition 16 the readings of sound levels recorded by the monitoring equipment shall be taken to the nearest 0.1dB, and shall be taken to have exceeded the sound levels referred to in condition 16 if those levels are exceeded by more than 0.2dB.

Maximum number of notifiable events

19. No more than twenty five (25) NOTIFIABLE EVENTS are to be held per FINANCIAL YEAR.

NOTE: Conditions denoted * have been designated as ancillary conditions for the purpose of regulation 19C of the *Environmental Protection (Noise) Regulations 1997*.

Dated the day of **Month Year**

**MICHELLE REYNOLDS
CHIEF EXECUTIVE OFFICER
CITY OF PERTH**

